

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA**

**V.**

**CRIMINAL NO. 3:14CR111-HTW-FKB**

**CHRISTOPHER B. EPPS**

**MOTION FOR LEAVE TO FILE UNDER SEAL**

Defendant Christopher B. Epps hereby moves the Court, pursuant to Local Criminal Rule 49.1 and Local Civil Rule 79, for an Order permitting the defendant to file under seal a certain attachment offered in support of his Motion for Compassionate Release Under 18 U.S.C. § 3582(c)(1)(A). The attachment sought to be sealed consists of the following and should be sealed to avoid the unnecessary public disclosure of the defendant's personal information:

- Exhibit 1 – Medical Record

Federal courts have long recognized that an individual's medical records are within a zone of privacy protected by the Fourteenth Amendment of the Federal Constitution. *See Whalen v. Roe*, 429 U.S. 589, 598–602, 97 S.Ct. 869, 51 L.Ed.2d 64 (1977). In this instance, the defendant's interest in avoiding the unnecessary disclosure of sensitive medical and personal identifying information outweighs any public interest served by disclosure and the request is no more extensive than necessary to protect Mr. Epps' right to privacy. The government has indicated they have no objection to this motion.

Accordingly, Mr. Epps respectfully requests that his motion for leave to file under seal be granted, and that an Order be entered permitting him to file his medical records and personal

identifying information as attachments to his Supplemental Motion for Compassionate Release Under 18 U.S.C. 3582(c)(1)(A)(i) under seal from public access, with CM/ECF access permitted to counsel for both parties.

Respectfully submitted, this the 28<sup>th</sup> day of May, 2021

CHRISTOPHER B. EPPS, Defendant

BY: s/ Princess Abby  
**Princess Abby** (MB # 106000)  
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Attorney for Defendant

**CERTIFICATE OF SERVICE**

I, Princess Abby, hereby certify that on this day I electronically filed the foregoing with the Clerk of the Court using ECF system which sent notification of such filing to all attorneys of record.

This the 28<sup>th</sup> day of May, 2021.

*s/Princess Abby*  
Research & Writing Specialist